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**RULE 63 (37 C.F.R. 1.63)**  
**DECLARATION AND POWER OF ATTORNEY**  
**FOR PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **TELECOMMUNICATIONS SYSTEM SIMULTANEOUSLY RECEIVING AND MODULATING AN OPTICAL SIGNAL**

the specification of which (check applicable box(es)):

[ ] is attached hereto.

[ ] was filed on \_\_\_\_\_ as U.S. Application Serial No. \_\_\_\_\_

[x] was filed as PCT international application No. PCT/ GB97/01958 on 21 July 1997

and (if applicable to U.S. or PCT application) was amended on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:

**Prior Foreign Application(s):**

Application Number	Country	Day/Month/Year Filed
96305315.2	EUROPE	19 July 1996
9624909.9	GREAT BRITAIN	29 November 1996
9710394.9	GREAT BRITAIN	20 May 1997

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

Application Number	Day/Month/Year Filed

I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT international applications listed above or below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior applications in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:

**Prior U.S./PCT Application(s):**

Application Serial No.	Status: patented, pending, abandoned

PCT/GB97/01958

21 July 1997

PENDING

I hereby declare that all statements made herein of my own knowledge are true and that statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. And I hereby appoint NIXON & VANDERHYE P.C., 1100 North Glebe Road, 8th Floor, Arlington, VA 22201-4714, telephone number (703) 816-4000 (to whom all communications are to be directed), and the following attorneys thereof (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent: Arthur R. Crawford, 25327; Larry S. Nixon, 25640; Robert A. Vanderhye, 27076; James T. Hosmer, 30184; Robert W. Faris, 31352; Richard G. Besha, 22770; Mark E. Nusbaum, 32348; Michael J. Keenan, 32106; Bryan H. Davidson, 30251; Stanley C. Spooner, 27393; Leonard C. Mitchard, 29009; Duane M. Byers, 33363; Paul J. Henon, 33626; Jeffry H. Nelson, 30481; John R. Lastova, 33149; H. Warren Burnam Jr., 29366; Thomas E. Byrne, 32205; Mary J. Wilson, 32955; J. Scott Davidson, 33489; Alan M. Kagen, 36178; William J. Griffith, 31260; Robert A. Molan, 29834.

1.	Inventor's Signature: <u>L.D. Westbrook</u>	Date: <u>17 March 1998</u>
	Inventor: LESLIE D WESTBROOK	BRITISH (citizenship)
	(first) MI (last)	
	Residence: (city) <u>SOUTHAM, CHELTENHAM</u>	(state/country) <u>GREAT BRITAIN</u>
	Post Office Address: <u>20 A RATCLIFF LAWNS, SOUTHAM, CHELTENHAM, GREAT BRITAIN</u>	
	(Zip code) <u>GL52 3PA</u>	
2.	Inventor's Signature: <u>D. Moodie</u>	Date: <u>25 March 1998</u>
	Inventor: DAVID G MOODIE	BRITISH (citizenship)
	(first) MI (last)	
	Residence: (city) <u>IPSWICH, SUFFOLK</u>	(state/country) <u>GREAT BRITAIN</u>
	Post Office Address: <u>118 HENSLOW ROAD, IPSWICH, SUFFOLK, GREAT BRITAIN</u>	
	(Zip code) <u>IP4 5EJ</u>	



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
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Washington, D.C. 20231

AUGUST 15, 2003

PTAS

MORRISON & FOERSTER LLP  
MEHRAN ARJOMAND  
555 WEST FIFTH STREET, SUITE 3500  
LOS ANGELES, CA 90013



\*700040302A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

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REEL/FRAME: 013877/0325  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

## ASSIGNOR:

BRITISH TELECOMMUNICATIONS PUBLIC  
LIMITED COMPANY

DOC DATE: 08/08/2003

## ASSIGNEE:

MICROWAVE PHOTONICS, INC.  
11845 W. OLYMPIC BOULEVARD #695  
LOS ANGELES, CALIFORNIA 90064SERIAL NUMBER: 10243838  
PATENT NUMBER:FILING DATE: 09/16/2002  
ISSUE DATE:

JEEVON JONES, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

Form PTO-1595  
(Rev. 03/01)  
OMB No. 0651-0027 [exp. 5/31/2002]

## RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

## PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof

## 1. Name of conveying party(ies):

British Telecommunications public limited company

Additional name(s) of conveying party(ies) \_\_\_\_\_

 Yes  No

## 3. Nature of Conveyance:

 Assignment Merger Security Agreement Change of Name Other \_\_\_\_\_

Execution Date: 08/08/2003; 08/13/2003

## 2. Name and address of receiving party(ies)

Name: Microwave Photonics, Inc.

Internal Address: \_\_\_\_\_

Street Address:  
11845 W. Olympic Boulevard #695

City: Los Angeles, California

Country: USA Zip: 90064

Additional name(s) &  
address(es) attached:  Yes  No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the new application is: \_\_\_\_\_

A. Patent Application No.(s): 10/243,838 (filed: 09/16/02) B. Patent No.(s):

See attached  
Schedule AAdditional numbers attached?  Yes  No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Mehran Arjomand  
MORRISON & FOERSTER LLP

Internal Address: Atty. Dkt.: 556592000101

Street Address:  
656 West Fifth Street, Suite 3600

City: Los Angeles State: CA Zip: 90013

## 6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) \$ 40.00

 Enclosed Authorized to be charged to deposit account Authorized to be charged to credit card  
(Form 2038 enclosed)

## 8. Deposit account number:

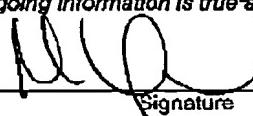
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## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Mehran Arjomand - 48,231  
Name of Person SigningAugust 14, 2003  
Date

Total number of pages including cover sheet, attachments, and documents: 4

I hereby certify that this correspondence is being transmitted by facsimile to the following telephone number: 703-306-5995 and addressed to: M/S Assignment, Recordation Services, Director - U. S. Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: August 14, 2003

Signature: Katrin Kauffmann (Katrin Kauffmann)

CH-50000 O/P1595Z 10243838

## MEMORANDUM OF ASSIGNMENT

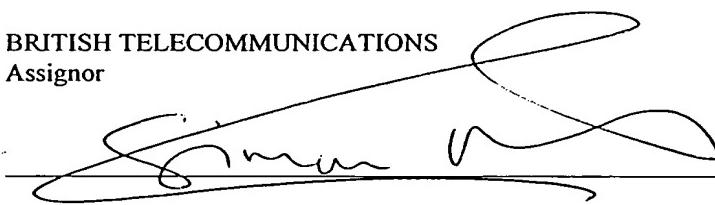
WHEREAS, MICROWAVE PHOTONICS, INC., a Delaware corporation, with a place of business at 11845 W. Olympic Boulevard, #695, Los Angeles, California, USA 90064 (hereinafter referred to as the assignee), acquired the entire right, title and interest in and to the issued patents, patent applications and proposed patent applications in respect of inventions which appear on the accompanying Schedule A from BRITISH TELECOMMUNICATIONS public limited company, with a registered office at 81 Newgate Street, London EC1A 7AJ, England, pursuant to a certain Assignment And Licence Back Of Patents And Patent Applications, dated March 31, 2003; and

WHEREAS, the assignee seeks to record the assignment in various Patent Offices:

NOW, THEREFORE, the assignor and the assignee execute this Memorandum of Assignment to reflect the assignment.

Date    August 8, 2003

BRITISH TELECOMMUNICATIONS  
Assignor



Name: Simon Christopher Roberts  
Title: Head of Patents Division

Date August 13, 2003

MICROWAVE PHOTONICS, INC.  
Assignee



Name: Maurizio Vecchione  
Title: President / CEO

Attorney Docket No.: 55659-28000.00

**SCHEDULE A**  
**MICROWAVE PHOTONICS, INC.**

Country	Application Number	Filing Date	Patent Number	Issue Date	Invention Title	Inventors
USA	09/051,147	04/02/1998	6,525,855 B1	02/25/2003	Telecommunications System Simultaneously Receiving And Modulating An Optical Signal	Leslie D. Westbrook David G. Moodie
USA (Cont.)	10/243,838	09/16/2002			Telecommunications System	Leslie D. Westbrook David G. Moodie
Australia	97/36277	07/21/1997	717824	07/20/2000	Telecommunications System Simultaneously Receiving And Modulating An Optical Signal	Leslie D. Westbrook David G. Moodie
Canada	2,253,413	07/21/1997			Telecommunications System Simultaneously Receiving And Modulating An Optical Signal	Leslie D. Westbrook David G. Moodie
China	97196551.X	07/21/1997			Telecommunications System Simultaneously Receiving And Modulating An Optical Signal	Leslie D. Westbrook David G. Moodie
Great Britain	9822820.8	07/21/1997	2 327 164	09/06/2000	Telecommunications System Simultaneously Receiving And Modulating An Optical Signal	Leslie D. Westbrook David G. Moodie
Japan	506699/98	07/21/1997			Telecommunications System Simultaneously Receiving And Modulating An Optical Signal	Leslie D. Westbrook David G. Moodie
Korea	710453/1998	07/21/1997			Telecommunications System Simultaneously Receiving And Modulating An Optical Signal	Leslie D. Westbrook David G. Moodie
New Zealand	332463	07/21/1997	332463	01/11/2001	Telecommunications System Simultaneously Receiving And Modulating An Optical Signal	Leslie D. Westbrook David G. Moodie
Singapore	9805570-0	07/21/1997	60421	04/17/2001	Telecommunications System Simultaneously Receiving And Modulating An Optical Signal	Leslie D. Westbrook David G. Moodie
Europe	97932909.1	07/21/1997			Telecommunications System Simultaneously Receiving And Modulating An Optical Signal	Leslie D. Westbrook David G. Moodie
USA	08/051,949	04/26/1993	5,949,564	09/07/1999	Transducer	David Wake
Australia	60086/94	02/16/1994	686133	07/09/1998	An Optoelectric Transducer	David Wake
Canada	2,156,429	02/16/1994	2,156,429	05/16/2000	An Optoelectric Transducer	David Wake
Japan	519684/94	02/16/1994			An Optoelectric Transducer	David Wake
Belgium	94906334.1	02/16/1994	687400	11/11/1998	An Optoelectric Transducer	David Wake

Country	Application No.	Filing Date	Patent No.	Issue Date	Invention	Inventory
Switzerland	94906334.1	02/16/1994	687400	11/11/1998	An Optoelectric Transducer	David Wake
Germany	94906334.1	02/16/1994	DE 694 14 555 T2	11/11/1998	An Optoelectric Transducer	David Wake
Spain	94906334.1	02/16/1994	687400	11/11/1998	An Optoelectric Transducer	David Wake
France	94906334.1	02/16/1994	687400	11/11/1998	An Optoelectric Transducer	David Wake
Great Britain	94906334.1	02/16/1994	687400	11/11/1998	An Optoelectric Transducer	David Wake
Italy	94906334.1	02/16/1994	687400	11/11/1998	An Optoelectric Transducer	David Wake
Netherlands	94906334.1	02/16/1994	687400	11/11/1998	An Optoelectric Transducer	David Wake
Sweden	94906334.1	02/16/1994	687400	11/11/1998	An Optoelectric Transducer	David Wake
Great Britain	0309924.9	04/30/2003			Access Point	Peter Paul Smyth
Great Britain	0307434.1	03/31/2003			Network	Peter David Ransome James Laurence Taylor Peter Paul Smyth
Denmark	00879/1991	11/10/1989			Communications System	Andrew James Motley Anthony Gerard Chadney
Hong Kong	89912477.0	11/10/1989	1364/1996	07/25/1996	Communications System	Andrew James Motley Anthony Gerard Chadney
Netherlands	89912477.0	11/10/1989	0 444 067 B2	03/30/1994	Communications System	Andrew James Motley Anthony Gerard Chadney
Sweden	89912477.0	11/10/1989	0 444 067 B2	03/30/1994	Communications System	Andrew James Motley Anthony Gerard Chadney
Singapore	9691652	07/09/1996	9691652-3	08/15/1996	Communications System	Andrew James Motley Anthony Gerard Chadney
New Zealand	231332	11/09/1989	231332	02/05/1993	Communications System	Andrew James Motley Anthony Gerard Chadney

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<b>REVOCATION OF POWER OF ATTORNEY and APPOINTMENT OF NEW POWER OF ATTORNEY</b>	<b>Application Number</b>	10/243,838
	<b>Filing Date</b>	September 16, 2002
	<b>First Named Inventor</b>	Leslie D. WESTBROOK et al.
	<b>Art Unit</b>	2633
	<b>Examiner Name</b>	Hanh Phan
	<b>Attorney Docket Number</b>	666602000101

I hereby revoke all previous powers of attorney given in the above-identified application:

 A Power of Attorney is submitted herewith.

OR

 I hereby appoint the practitioners at Customer Number:

25224

 Please change the correspondence address for the above-identified application to: The address associated with Customer Number:

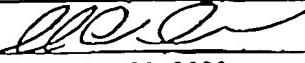
25224

OR

<input type="checkbox"/> Firm or Individual Name	Mehran Arjomand - 48,231 Morrison & Foerster LLP		
Address	655 West Fifth Street		
City	Los Angeles		
Country	USA	State	CA
Telephone	213-892-5630		
		Zip	90013
		Fax	213-892-5454

I am the:

 Applicant/Inventor. Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/196)**SIGNATURE of Applicant or Assignee of Record**

Name	MICROWAVE PHOTONICS, INC.		
Signature	 (Maurizio Vecchione, Chief Executive Officer)		
Date	November 26, 2003	Telephone	310-445-6444
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required. See below.			
<input type="checkbox"/>	Total of _____ forms are submitted.		

LA-694357